

AFTER EXECUTIVE SESSION.

In executive session the following confirmations were had:

Managers of North Texas Asylum—J. S. Grinnan, George E. Kelley, A. H. Ables, W. A. Brooks of Kaufman county; W. T. Foster of Van Zandt county.

Trustees of Deaf, Dumb and Blind Asylum for Colored Youths at Austin—Hugh L. Davis, E. A. Todd of Travis county.

On motion of Senator Goss, Senator Sherrill was added to the Committee on Public Lands.

On motion of Senator Boren the Senate adjourned to 10 a. m. tomorrow.

TWENTY-SIXTH DAY.

Senate Chamber.
Austin, Texas, Feb. 6, 1895.

Senate met pursuant to adjournment.
Lieutenant Governor Jester in the Chair.

Roll called. Quorum present, the following Senators answering to their names:

Agnew.	Greer.
Atlee.	Lewis.
Bailey.	McComb.
Beall.	McKinney.
Boren.	Rogers.
Bowser.	Shelburne.
Colquitt.	Sherrill.
Crowley.	Simpson.
Darwin.	Smith.
Dean.	Stafford.
Dibrell.	Steele.
Dickson.	Tips.
Gage.	Whitaker.
Goss.	

Absent, excused.

Harrison. Woods.

Absent, not excused.

Lawhon. Presler.

Prayer by the Chaplain, Dr. Smoot.

Pending reading of the Journal of yesterday,

On motion of Senator Whitaker, the same was suspended.

On motion of Senator Atlee, Senator Dean was excused from attendance on yesterday, on account of important business.

On motion of Senator Bowser, Senator Bailey was excused for Monday and Tuesday.

On motion of Senator Rogers, Senator Greer was excused for yesterday on account of important business.

PETITIONS AND MEMORIALS.

By Senator Atlee:

Memorial from citizens of Duval county against the decrease of the ranger force.

Read and referred to Committee on Finance.

By Senator Dibrell:

A petition from colored citizens of Cald-

well county, praying for the establishment of a colored University, etc.

Read and referred to Committee on Education.

By Senator Tips:

Two petitions from teachers of Williamson county, concerning teachers' salaries, etc.

Read and referred to Committee on Finance.

By Senator Stafford:

Petition from mothers of the State of Texas and town of Tyler, asking that the age of consent be raised to 18 years.

Read and referred to Judiciary Committee No. 1.

By Senator Steele:

Petitions from mothers of "Mexia," asking that the age of consent be raised to 18 years.

Read and referred to Judiciary Committee No. 1.

COMMITTEE REPORTS.

Committee Room,
Austin, Texas, Feb. 6, 1895.

Hon. George T. Jester, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 86, a bill to be entitled "An act to amend article 1829 of chapter 4, title 37, Revised Statutes of Texas, with reference to the time of closing administration on estates of deceased persons, by adding thereto no suit against the sureties on the bond of such administrator or executor shall be maintained unless proceeding to compel settlement was begun by the parties interested within four years after the estate was in a condition to be closed, and providing that persons who were under legal disability when the right to compel settlement accrued shall have four years within which to institute such a proceeding after their disabilities have been removed,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

SMITH, Chairman.

Committee Room,
Austin, Texas, Feb. 6, 1895.

Hon. George T. Jester, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred

House bill No. 155, a bill to be entitled "An act to restore and confer upon the county court of Gregg county the civil and criminal jurisdiction heretofore belonging to said court under the Constitution and general statutes of Texas, to define the jurisdiction of said court, to conform the jurisdiction of the District Court of said county to such change, to fix the time of holding court, and to repeal all laws in conflict with this act,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

SMITH, Chairman.

Committee Room,
Austin, Texas, Feb. 6, 1895.

Hon. George T. Jester, President of the Senate:

Senate bill No. 140, being a bill to be entitled "An act to repeal sections 23, 24, 25, 26, 27, 28, 29 and 30 of chapter 13, of the acts of the called session of the Twenty-second Legislature of the State of Texas, approved April 12, 1892, and found on page 13, known as 'An act to provide for the registration of all votes in all cities containing a population of ten thousand inhabitants or more, and to protect the purity of the ballot in said cities, and to provide penalties for the violation of the same,'"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

SMITH, Chairman.

Committee Room,
Austin, Texas, February 5, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on State Affairs, to whom was referred

Senate bill No. 100, being a bill to be entitled "An act to amend section 17 of an act to organize the Courts of Civil Appeals, to define their jurisdiction and powers, and to prescribe the mode of procedure therein, approved April 13, 1892, and to provide a library fund for said courts,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

SIMPSON, Chairman.

Committee Room,
Austin, Texas, February 5, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Education, to whom was referred

Senate bill No. 110, being a bill to be entitled "An act to invest the Board of Regents of the University of Texas with the management and control of the University lands,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BEALL, Acting Chairman.

Committee Room,
Austin, Texas, February 5, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Finance, to whom was referred

Senate bill No. 149, being a bill to be entitled "An act to provide for the collection of taxes heretofore levied and that may hereafter be levied, making such taxes a lien on the lands taxed, establishing and continuing such lien, providing for the sale and conveyance of the lands delinquent for taxes since January 1, 1877, which may have been sold to

the State, or to any county, city, or town, for the tax due thereon, and not redeemed, or which may hereafter be sold to the State, or to any county, city, or town, to satisfy the lien thereon,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

TIPS, Chairman.

Committee Room,
Austin, Texas, February 6, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 70, being "An act to amend article 4241 of chapter 10, title 84, of the Revised Civil Statutes of the State of Texas, relating to the construction of cattle guards by railroad companies,"

And find the same correctly engrossed.

BAILEY, Chairman.

Committee Room,
Austin, Texas, February 5, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 89, being "An act to amend articles 483, 484 and 485 of the Code of Criminal Procedure of the State of Texas, prescribing the manner in which citations shall be served upon witnesses disobeying subpoenas in criminal cases, the character of the judgment that may be rendered in such cases, and providing for the collection of same,"

And find the same correctly engrossed.

BAILEY, Chairman.

Committee Room,
Austin, Texas, February 6, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 51, being "An act to amend articles 798 and 799 of chapter 18, title 17, of the Penal Code of the State of Texas,"

And find the same correctly engrossed.

BAILEY, Chairman.

BILLS AND RESOLUTIONS.

By Senator Tips (by request):

A bill to be entitled "An act respecting cruelty to animals, birds and fowls, and to provide penalties for violation thereof, and prescribing certain duties of officers with reference thereto, and providing penalties for failure to comply therewith."

Read and referred to Judiciary Committee No. 2.

By Senator Bowser:

Resolution providing for the abolishment of secret sessions of the Senate.

Read first time, and

On motion of Senator Agnew, referred to Committee on Rules.

Call concluded.

On motion of Senator Atlee, Senator Boren was added to Committee on Judicial Districts.

IN SENATE.

House bill No. 251, "An act to make and constitute the Treasurer of the State of Texas the custodian of all bonds held by the State of Texas, under the provisions of an act of the Legislature of the State of Texas, approved March 24, 1885, and also an act of the Legislature of the State of Texas, approved February 1st, 1889, and to define his duties in relation thereto."

Read first time and referred to Committee on State Affairs.

House bill No. 173, "An act to make it a penal offense for any person in this State to unlawfully sow, scatter or place on land not his own the seed or roots of Johnson grass or any other vegetation which will make such land unsuitable for the cultivation of cotton or corn or any other grain, or which will make the cultivation of such land in such crops more difficult, or which will impair or diminish the value of such crops as are usually grown thereon, to prescribe the punishment therefor, and to prescribe the procedure in prosecution of such cases."

Read first time and referred to Judiciary Committee No. 2.

SPECIAL ORDER.

The Chair laid before the Senate, Senate bill No. 2, entitled "An act providing for the discovery of the assets of a judgment debtor, and the enforcement of such judgment."

On motion of Senator Agnew, the bill was laid on the table subject to call.

The Chair appointed the following committee to consider the advisability of redistricting the State into judicial districts: Senators Atlee, Shelburne, Sherrill, Stafford and Gage.

BILLS ON THIRD READING.

The Chair laid before the Senate, Senate bill No. 51, being a bill to be entitled "An act to amend articles 798 and 799 of chapter 18, title 17, of the Penal Code of the State of Texas."

Bill read third time, and on motion of Senator Atlee, was postponed till Saturday after call.

The Chair laid before the Senate, Senate bill No. 70, being a bill to be entitled "An act to amend section 4241 of chapter 10 of title 84 of the Revised Civil Statutes of Texas, relating to the construction of cattle guards by railroad companies."

Bill read third time and passed.

The Chair laid before the Senate, Senate bill No. 89, being a bill to be entitled "An act to amend articles 483, 484 and 485 of the Code of Criminal Procedure of the State of Texas, prescribing the manner in which citations shall be served upon witnesses disobeying subpoenas in criminal cases, the character of

judgment that may be rendered in such cases, and providing for the collection of same."

Bill read third time and passed by the following vote:

Yeas—19.

Agnew.	Goss.
Beall.	McKinney.
Boren.	Rogers.
Bowser.	Shelburne.
Colquitt.	Sherrill.
Crowley.	Smith.
Dean.	Stafford.
Dibrell.	Steele.
Dickson.	Tips.
Gage.	

Nays—4.

Atlee.	Simpson.
Darwin.	Whitaker.
	Absent, excused.
Harrison.	Woods.
	Absent, not excused.
Bailey.	Lewis.
Greer.	McComb.
Lawhon.	Presler.

BILLS ON SECOND READING.

The Chair laid before the Senate, Substitute House bill No. 99, being a bill to be entitled "An act to take the counties of Smith, Gregg and Upshur out of the Fifth Supreme Judicial District and place the same in the First Supreme Judicial District."

Bill read second time and passed to third reading.

On motion of Senator Rogers, the constitutional rule requiring bills to be read on three several days, was suspended and the bill put upon its third reading and final passage by the following vote:

Yeas—22.

Agnew.	Gage.
Atlee.	Goss.
Bailey.	McKinney.
Beall.	Rogers.
Boren.	Shelburne.
Bowser.	Sherrill.
Colquitt.	Simpson.
Crowley.	Stafford.
Darwin.	Steele.
Dean.	Whitaker.
Dickson.	

Nays—2.

Smith.	Tips.
	Absent, excused.
Harrison.	Woods.
	Absent, not excused.
Dibrell.	Lewis.
Greer.	McComb.
Lawhon.	Presler.

Bill read third time and passed by the following vote:

Yeas—24.

Agnew.	Colquitt.
Atlee.	Crowley.
Bailey.	Darwin.
Beall.	Dean.
Boren.	Dibrell.
Bowser.	Dickson.

Gage.	Simpson.
Goss.	Smith
McKinney.	Stafford.
Rogers.	Steele
Shelburne.	Tips.
Sherrill.	Whitaker.

Nays—None.

Absent, excused.

Harrison. Woods.

Absent, not excused.

Greer.	McComb.
Lawhon.	Presler.
Lewis.	

The Chair laid before the Senate, House bill No. 323, a bill to be entitled "An act to amend section 1 of an act to fix the rate of taxation on insurance companies, telephone companies, sleeping and dining car companies and other corporations; to prescribe the time and manner of collecting such taxes, to provide penalties for the violation of the provisions of this act, and to repeal all laws and parts of laws in conflict therewith, approved May 11, 1893."

Bill read second time with committee amendment.

Committee amendment adopted.

By Senator Steele:

Amend by adding after the word "paid," in line 36, the following: "Provided, that no occupation tax shall be levied on insurance companies by any county, city or town in this State."

Adopted.

By Senator Simpson:

Amend section 1 by striking out the word "two" in line 16, and inserting "one;" and striking out "one," in line 19, and inserting "one-half," in lieu thereof.

Pending action, Senator Smith moved to postpone further action, and that the bill be made special order for February 13, after call.

Carried.

HOUSE MESSAGE.

House of Representatives,
Austin, Texas, February 6, 1895.

Hon. Geo. T. Jester, President of the Senate:

I am directed by the House to inform the Senate that the House has passed the following bills, to-wit:

Committee substitute for House bill No. 211, "An act to extend for the period of two years the time in which purchasers of timber on school lands in this State may remove the timber from said lands." Passed by two-thirds vote—ayes 94, nays none.

House bill No. 383, "An act providing for the assessment of national bank notes and United States treasury notes." Passed by two-thirds vote—ayes 116, nays 1.

Respectfully,

CHESTER HAILE, Chief Clerk.

GOVERNOR'S MESSAGE.

Executive Office,
Austin, Texas, February 6, 1895.

To the Senate:

The advice and consent of the Senate is respectfully asked to the following appointments:

Managers of the Orphans' Home at Corsicana: Jink Evans, W. D. Johnson and G. M. Westbrook, all of Navarro county.

Regent of the University of Texas: Thomas S. Henderson of Milam county, vice Amory R. Starr, resigned.

C. A. CULBERSON,
Governor.

The Chair laid before the Senate,

Senate bill No. 72, being a bill to be entitled "An act to prohibit the sale, barter or gift of tobacco in any of its forms, to persons under the age of sixteen years, and to prescribe a penalty for a violation of this act."

Bill read second time.

By Senator Agnew:

Amend by striking out in lines 4 and 5, section 1, the word "sixteen," and insert in lieu thereof the word "fourteen."

By Senator Dean:

Amend the amendment by striking out "fourteen," and inserting "twelve," in lieu thereof.

Lost.

Senator Agnew's amendment was then lost.

By Senator Goss:

Amend by striking out the word "twenty-five," in line 7, and insert the word "ten."

Adopted.

By Senator Atlee:

Amend by striking out after the word "years," in line 5, all down to the word "shall," in line 7.

Lost.

The bill was ordered engrossed by the following vote:

Yeas -16

Agnew.	Gage.
Bailey.	Goss,
Beall.	Rogers.
Boren.	Sherrill.
Bowser.	Simpson.
Colquitt.	Smith.
Darwin.	Stafford.
Dickson.	Steele.

Nays—10.

Atlee.	Lewis.
Crowley.	McKinney.
Dean.	Shelburne.
Dibrell.	Tips.
Greer.	Whitaker.

Absent, excused.

Harrison Woods.

Absent, not excused.

Lawhon. Presler.

McComb.

The Chair laid before the Senate, Senate bill No. 79, being a bill to be entitled "An act to amend section 5 of

chapter 15 of the acts of the called session of the Twenty-second Legislature of the State of Texas, defining the appellate jurisdiction of the Courts of Civil Appeals."

Bill read second time and ordered engrossed.

The Chair laid before the Senate, Senate bill No. 80, being a bill to be entitled "An act to confirm and validate certain surveys of land made by virtue of certificates issued to persons permanently disabled by reason of wounds received while in the service of this State, or of the Confederate States."

Bill read second time, and

On motion of Senator Lewis, was made special order for Friday next, after call.

The Chair laid before the Senate,

Senate bill No. 81, being a bill to be entitled "An act to regulate the practice of medicine and to prescribe the qualifications of physicians and surgeons, and to repeal title 73 of the Revised Civil Statutes."

Bill read second time with committee amendments.

Senator Whitaker moved to lay the bill on the table, subject to call.

Senator Simpson moved to make it special order for February 15, after call. Carried.

The Chair laid before the Senate

Senate bill No. 83, being "A bill to regulate the operating of locomotive engines without being qualified to do so."

Bill read second time.

By Senator Dean:

Amend caption by inserting "one year" in line 6 in lieu of "two years."

Adopted.

By Senator Dean:

Amend section 2 by striking out the words "two years" in lines 3 and 4, and insert in lieu thereof the word "one year."

Pending further action,

Senator Dean moved to postpone further action till Friday next, after call.

Lost.

By Senator Lewis:

Amend section 1 by adding thereto the following: "Provided, that any fireman who shall have served as fireman for the period of three years shall thereupon be promoted to the position of engineer; and any one who fails or refuses to promote said fireman shall be guilty of a misdemeanor and punished as herein provided."

Lost by the following vote:

Yeas—11.

Agnew.	Lewis.
Atlee.	Shelburne.
Bailey.	Simpson.
Colquitt.	Stafford.
Goss.	Tips.
Greer.	

Nays—14.

Beall.	Dean.
Boren.	Dibrell.
Crowley.	Dickson.
Darwin.	Gage.

McKinney.
Rogers.
Sherrill.

Smith.
Steele.
Whitaker.

Absent—excused.

Woods.

Harrison.

Absent—not excused.

Bowser.
Lawhon.

McComb.
Presler.

Senator Steele moved to postpone consideration indefinitely.

Senator Dean moved to table the motion to postpone.

Lost.

Further consideration was then indefinitely postponed.

The Chair laid before the Senate

Senate bill No. 84, a bill to be entitled "An act to prevent one landlord from hiring the tenant of another landlord during the time for which the contract of hire or renting of land on shares has been entered into, and fix the penalty therefor."

Bill read second time with committee amendment.

Committee amendment read and lost.

By Senator Sherrill:

Add to section 1 the following: "And provided further, that if any housekeeper shall hire the cook of any other housekeeper without the consent of the housekeeper having such cook employed, he shall be deemed guilty of a misdemeanor and shall be punished as herein provided."

By Senator Colquitt:

Amend the amendment by adding the word "nurse" after the word "cook."

Adopted.

The amendment as amended was then adopted.

By Senator Simpson:

Amend by striking out all of caption after "act" and inserting in lieu thereof, "to peon the laboring men and women of Texas."

Adopted.

Senator Steele moved to postpone indefinitely.

Lost by the following vote:

Yeas—1.

Bowser.

Nays—25.

Agnew.	Lewis.
Atlee.	McComb.
Beall.	McKinney
Boren.	Rogers.
Colquitt.	Shelburne.
Crowley.	Sherrill.
Darwin.	Simpson.
Dean.	Smith.
Dibrell.	Stafford.
Dickson.	Steele.
Gage.	Tins.
Goss.	Whitaker.
Greer.	

Absent, excused.

Harrison.

Woods.

Absent, not excused.

Bailey.
Lawhon.

Presler.

Senator Stafford moved to reconsider the vote by which

Substitute House bill No. 99, "An act to take the counties of Smith, Gregg and Upshur out of the Fifth Supreme Judicial District and place the same in the First Supreme Judicial District," was passed.

Reconsidered.

Senator Stafford then moved that the House be requested to return the bill to the Senate.

Carried.

Action recurring to Senate bill No. 84:

By Senator Goss:

Amend Senate bill No. 84: Amend by adding to section 1 the following: "Provided, the person desiring to hire such laborer or tenant shall have the right to call to his aid an investigating committee of three, to ascertain whether or not the landlord has complied with his contract."

Adopted.

Senator Rogers entered a motion to reconsider the vote by which the amendment was adopted.

The bill failed on engrossment by the following vote:

Yeas—2.

Rogers.

Sherrill.

Nays—23.

Agnew.

Goss.

Atlee.

Greer.

Beall.

Lewis.

Boren.

McComb.

Bowser.

McKinney.

Colquitt.

Shelburne.

Crowley.

Simpson.

Darwin.

Smith.

Dean.

Stafford.

Dibrell.

Steele.

Dickson.

Tips.

Gage.

Absent, excused.

Harrison.

Woods.

Absent—not excused.

Bailey.

Presler.

Lawhon.

Whitaker.

The Chair laid before the Senate

Senate bill No. 94, being a bill to be entitled "An act to prescribe the times for holding the terms of the District Court in the Fifty-first Judicial District of the State of Texas."

Bill read second time.

By unanimous consent, Senator Greer offered a joint resolution providing for the call of a State Constitutional Convention.

Read first time and referred to Committee on Constitutional Amendments.

On motion of Senator Simpson, Senate adjourned till 10 o'clock tomorrow morning.

TWENTY-SEVENTH DAY.

Senate Chamber,
Austin, Texas, Feb. 7, 1895.

Senate met pursuant to adjournment.

Lieutenant Governor Jester in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Agnew.

Greer.

Atlee.

Harrison.

Bailey.

Lawhon.

Beall.

Lewis.

Boren.

McComb.

Bowser.

McKinney.

Colquitt.

Rogers.

Crowley.

Shelburne.

Darwin.

Sherrill.

Dean.

Simpson.

Dibrell.

Smith.

Dickson.

Steele.

Gage.

Tips.

Goss.

Whitaker.

Absent, excused.

Woods.

Absent, not excused.

Presler.

Stafford.

Prayer by the Chaplain, Dr. Smoot.

Pending reading of the Journal of yesterday,

On motion of Senator Steele, the same was suspended.

On motion of Senator Simpson, Senator Lawhon was excused for non-attendance on yesterday on account of sickness.

On motion of Senator Colquitt, 12 m. tomorrow was fixed for the hour for the Senate to go into executive session on the Governor's appointments.

PETITIONS AND MEMORIALS.

By Senator Harrison:

Petition from members of the bar of Bell county, asking that the time for holding court be so changed that said court may not be required to hold its session in July and August.

Read and referred to Committee on Judicial Districts.

By Senator Harrison:

Petition from citizens of Tarrant county, asking that the age of consent be increased to eighteen years.

Read and referred to Judiciary Committee No. 2.

COMMITTEE REPORTS.

Committee Room,
Austin, Texas, Feb. 7, 1895.

Hon. George T. Jester, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 13, being a bill to be entitled "An act to amend article 4258c, section 9, of the Revised Civil Statutes of the State of Texas,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

SMITH, Chairman.